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Attorneys for Defendant
Cook County Health

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DENISE FAIVRE, *individually and on behalf of*
all others similarly situated,

Plaintiff,

vs.

PERRY JOHNSON & ASSOCIATES, INC.,
NORTHWELL HEALTH, INC., and COOK
COUNTY HEALTH,

Defendants.

CASE NO. 2:23-cv-01926

**STIPULATION TO EXTEND
DEFENDANT COOK COUNTY
HEALTH'S DEADLINE TO RESPOND
TO COMPLAINT**

(SECOND REQUEST)

1 TO THIS HONORABLE COURT, TO THE CLERK OF THE UNITED STATES
2 DISTRICT COURT FOR THE DISTRICT OF NEVADA, AND TO ALL PARTIES
3 THROUGH THEIR COUNSEL OF RECORD HEREIN:

4 Pursuant to Federal Rule of Civil Procedure, Rule 6(b) and Local Rule 6-1, Plaintiff
5 Denise Faivre, on the one hand, and Defendant Cook County Health (“CCH”) on the other hand,
6 stipulate to an extension of time for CCH to respond to Plaintiff’s complaint in this matter due to
7 a pending Motion for Transfer and Centralization of Related Actions to the District of Nevada
8 (“MDL Motion”) currently before the United States Judicial Panel on Multidistrict Litigation.
9 *See In re Perry Johnson & Assocs. Medical Transcription Data Security Breach Litig.* (“*In re*
10 *PJ&A*”) MDL No. 3096, ECF No. 1. In support of this Stipulation, the Parties jointly state as
11 follows:

12 1. On November 20, 2023, Plaintiff filed the initial Complaint against CCH,
13 Northwell Health Inc., and Perry Johnson & Associates, Inc. (ECF No. 1.)

14 2. On December 21, 2023, the Court granted a Stipulation to extend CCH’s deadline
15 to respond to the Complaint to January 29, 2024. (ECF No. 26.)

16 3. A number of actions have been filed arising from the alleged data security
17 incident announced in 2023 by Perry Johnson & Associates, Inc.

18 4. On December 8, 2023, Plaintiffs in several of these actions filed the MDL Motion
19 that is pending before the United States Judicial Panel on Multidistrict Litigation. *In re PJ&A*,
20 ECF No. 1. A hearing on the MDL Motion is set for January 25, 2024. *Id.* at ECF No. 5.

21 5. An extension of CCH’s deadline to answer or otherwise respond to the Complaint
22 until after ruling on the pending MDL Motion will permit sufficient time for CCH to investigate
23 factual and legal issues and to assess what impact, if any, the MDL Motion may have on the
24 above-captioned action, including potential centralization.

25 6. No scheduling order has been entered in this action, thus there are no dates set for
26 trial, motions or discovery.

27 7. This is CCH’s second request for an extension of time to respond to the
28

1 Complaint. This request is not for purposes of delay, and the requested extension will not
2 prejudice any party.

3 8. By entering into this Stipulation, CCH does not waive any defenses available to it,
4 including jurisdictional defenses.

5 9. WHEREFORE, the Parties hereby stipulate, agree and respectfully request that
6 the Court extend the deadline for CCH to answer, move or otherwise respond to the Complaint to
7 and including February 29, 2024.

8 Respectfully submitted,

9 Dated: January 26, 2024

GORDON REES SCULLY MANSUKHANI, LLP

10 By: /s/ Sean Flynn

11 Sean Flynn (SBN 15408)

12 Scott L. Schmookler (*pro hac vice*
pending)

13 *Attorneys for Defendant*
14 *Cook County Health*

15
16 Dated: January 26, 2024

**CARELLA, BYRNE, CECCHI, BRODY &
AGNELLO, P.C.**

17
18 By: /s/Kevin Cooper

19 Kevin Cooper

20 *One of the Attorneys for Plaintiff*
Denise Faivre

21 **IT IS SO ORDERED:**

22
23 
24 UNITED STATES MAGISTRATE JUDGE

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26 DATED: January 29, 2024